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decision is not inconsistent with a recovery from the widow, against whom the trustee would seem entitled to the advantages of an equitable assignee. Cf. *Schoenholz v. New York Life Ins. Co.* (1920) 192 App. Div. 562, 183 N. Y. Supp. 251.

BANKS AND BANKING—MONEY STANDING ON CURRENT ACCOUNT—DEMAND NECESSARY BEFORE CAUSE OF ACTION ACCRUES.—A partnership, which carried an account with the defendant bank, dissolved on August 1, 1914, with a balance of £2,321. No money was paid out of the account after this date. In June, 1919, the plaintiff, one of the partners, sued in the firm name for the balance due, claiming that the cause of action had accrued on August 1, 1914. The defendant denied that the cause of action had accrued on that date because no demand for payment had been made at that time. *Held*, that as a demand for payment was essential, the plaintiff could not recover. *N. Joachimson v. Swiss Bank Corporation* [1921, C. A.] 3 K. B. 110.

The rule in England has been that the Statute of Limitations runs against a bank deposit as against any other contract debt. *Pott v. Clegg* (1847, Exch.) 16 M. & W. 321; 1 Hals. Laws Eng. 586; Grant, *Bankers and Banking* (2d ed. 1865) 3. Based upon this rule, the supposition has arisen that a cause of action accrues to bank depositors without a demand and refusal. In America the rule is well established that a demand for repayment is a condition precedent to the maintenance of an action against a bank for an amount on deposit. *First National Bank of Mishawaka v. Stapf* (1905) 165 Ind. 162, 74 N. E. 987; *Clark's Adm'r v. Farmers' National Bank* (1907) 124 Ky. 563, 99 S. W. 674; Tiffany, *Banks and Banking* (1912) 90. Consequently the Statute of Limitations does not begin to run until there has been a demand and refusal. *Missouri Pacific Ry. v. Continental National Bank* (1908) 212 Mo. 505, 111 S. W. 574; Tiffany, *op. cit.* 93; *contra*, *Union Bank v. Knapp* (1825, Mass.) 3 Pick. 96; Carter, *Banks and Banking* (5th ed. 1917) 598. There are certain circumstances under which a demand is not necessary. When a depositor has demanded the full amount of his deposit, and has been paid a part thereof, he is not required to make a separate demand for the balance. *Lebrecht v. New State Bank* (1918) 199 Mo. App. 642, 205 S. W. 273. When a bank disputes its indebtedness to a depositor, no demand is necessary to support the depositor's action. *Marks v. First National Bank of Roseburg* (1917) 84 Or. 601, 165 Pac. 673; *Lifschutz v. Public Bank of New York City* (1916, Sup. Ct.) 159 N. Y. Supp. 879. The principal case has reached a conclusion, in accord with the American authorities, which seems best fitted to the commercial needs of the day.

CONSTITUTIONAL LAW—ELECTIONS—VALIDITY OF ABSENTEE-VOTING ACT.—The New Hampshire House of Representatives asked the opinion of the Justices of the Supreme Court as to the validity of certain proposed state legislation to provide for voting at the biennial elections by persons absent from the places in which they were qualified to vote. *Advised*, that the legislature may not authorize absentee voting for state officers; that it may authorize such voting for presidential electors; that it is doubtful whether its authorization of such voting for Senators and Representatives in Congress would be held valid. *Opinion of the Justices* (1921, N. H.) 113 Atl. 293.

A state legislature has authority to direct the manner of appointment of presidential electors, except with respect to the time of appointment. U. S. Const. art. 2, sec. 1; *McPherson v. Blacker* (1892) 146 U. S. 1, 13 Sup. Ct. 3; (1913) 43 L. R. A. (N. S.) 282, 284, note. Congress has the paramount power to regulate the time and manner of holding elections for members of the Senate, and the time, manner, and place for members of the House of Representatives, and so far